

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



C g c

PATENT CASE: AL01019

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----X  
In re Application of: N-Y Shih *et al.* :

Examiner: H. Liu

For: **SUBSTITUTED IMIDAZOLES AS** :  
**DUAL HISTAMINE H1 AND H3** :  
**AGONISTS OR ANTAGONISTS** :

Group Art Unit: 1625

Date: July 22, 2004

Serial No.: 09/955,383

Filing Date: 08/18/2001

U.S. Patent No.: 6,762,186

Patent Issue Date: 07/13/2004  
-----X

Certificate  
JUL 30 2004  
of Correction

Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO CORRECT ERROR ON ISSUED PATENT**


Petition is hereby made under 37 CFR §§ 1.322 to correct an error in the above-identified issued patent.

The published patent lists the name of one of the inventors incorrectly. The correct name of the sixth inventor should be "**Wing C. Tom**" and NOT Tom G. Wing. A copy of the Updated Filing Receipt (Confirmation NO. 8337) mailed by the Office on January 9, 2002 is enclosed. A Certificate of Correction is requested. Form PTO-1050 is enclosed in duplicate.

Applicants respectfully submit that the above-noted error is the fault of the Office. Accordingly, no fee is believed due. If there are questions, the undersigned Attorney-of-Record can be contacted.

Respectfully submitted,

SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, New Jersey 07033-0530

  
Dr. Palaiyur S. Kalyanaraman  
Reg. No. 34,634  
Director- Patents  
(908) 298-5068

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450 ON

7/22/04  
(DATE OF DEPOSIT)

PALAIYUR S. KALYANARAMAN, REG. NO. 34,634  
(REGISTERED REPRESENTATIVE)

  
(SIGNATURE AND DATE)

2 AUG 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/955,383	09/18/2001	1614	1110	AL01019		18	3

24265

SCHERING-PLOUGH CORPORATION  
PATENT DEPARTMENT (K-6-1, 1990)  
2000 GALLOPING HILL ROAD  
KENILWORTH, NJ 07033-0530

CONFIRMATION NO. 8337

## UPDATED FILING RECEIPT



\*OC000000007284761\*

Date Mailed: 01/09/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Neng-Yang Shih, North Caldwell, NJ;  
Robert G. Aslanian, Rockaway, NJ;  
Daniel M. Solomon, Edison, NJ;  
Stuart B. Rosenblum, West Orange, NJ;  
Mwangi Wa Mutahi, Fords, NJ;  
Wing C. Tom, Cedar Grove, NJ; ✓  
Kevin D. McCormick, Edison, NJ;  
John J. Piwinski, Clinton Township, NJ;  
Ronald Wolin, San Diego, CA;

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/234,039 09/20/2000

PATENT DEPARTMENT RECEIVED	
JAN 14 2002	
ROUTE TO COMMENTS	
<input type="checkbox"/>	COMPUTER INPUT
<input type="checkbox"/>	BZA
<input type="checkbox"/>	DEBIT NOTE ENTERED
COMPLETED BY	

## Foreign Applications

If Required, Foreign Filing License Granted 10/17/2001

Projected Publication Date: 04/18/2002

Non-Publication Request: No

Early Publication Request: No

2 AUG 2002

Title

2 AUG 2002

Preliminary Class

514

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

2 AUG 2004

JUL 26 2004

Attorney Docket No.: AL 01019

PTO/SB/92 (08-03)

(Modified)

Application No.: 6,762,186 B2

Filing Date: September 18, 2001

Applicant: Shih et al.

Title: Substituted Imidazoles as Dual Histamine H1 H3 Agonists or Antagonists

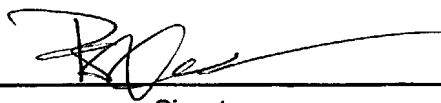
### Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 22, 2004

Date



Signature

Palaiyur S. Kalyanaraman

Typed or printed name of person signing Certificate

**Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.**

Documents enclosed:

Certificate of Correction (1 pg)

Certificate of Mailing (1 pg)

Post Card (1)

Petition to Correct Error on Issued Patent (1 pg)

Copy of Updated Filing Receipt (2 pgs)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

2 AUG 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,762,186 B2  
DATED : July 13, 2004  
INVENTOR(S) : See below for corrected name

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, please correct the inventors as noted below:

(75) Inventors:

Neng-Yang Shih, North Caldwell, NJ (US);

Robert G. Aslanian, Rockaway, NJ (US);

Daniel M. Solomon, Edison, NJ (US),

Stuart B. Rosenblum, West Orange, NJ (US);

Mwangi Wa Mutahi, Edison, NJ (US);

Wing C. Tom, Cedar Grove, NJ (US);

Kevin D. McCormick, Edison, NJ (US);

John J. Piwinski, Clinton Township, NJ (US);

Ronald Wolin, San Diego, CA (US)

MAILING ADDRESS OF SENDER:

Schering-Plough Corporation  
2000 Galloping Hill Road  
Kenilworth, NJ 07033

PATENT NO. 6,762,186 B2

No. of additional copies



Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

2 AUG 2004